

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

BLUE SPIKE, LLC,

*Plaintiff,*

V.

TEXAS INSTRUMENTS, INC.

*Defendants.*

BLUE SPIKE, LLC,

*Plaintiff,*

V.

AUDIBLE MAGIC CORPORATION,  
ET AL.

*Defendants.*

Civil Action No. 6:12-CV-499-MHS-CMC

(LEAD CASE)

## JURY TRIAL DEMANDED

Civil Action No. 6:12-CV-576-MHS-CMC

(CONSOLIDATED WITH 6:12-CV-499)

## JURY TRIAL DEMANDED

## **ORDER GRANTING FACEBOOK’S MOTION TO SEVER AND TRANSFER**

Before this Court is Defendant's Motion to dismiss Blue Spike's claims against Facebook's facial recognition technology, or in the alternative, sever claims against Facebook Technology and transfer to the Northern District of California.

Upon consideration of the applicable papers and argument, the Court is of the opinion that there is no operative complaint containing Blue Spike's claims of infringement against Facebook's facial recognition technology. Accordingly, it is ORDERED that Blue Spike's claims of infringement against Facebook's facial recognition technology are dismissed without prejudice.